

Notice of Allowability

Application No.

09/925,265

Examiner

Fred I. Ehichioya

Applicant(s)

HIMMEL ET AL.

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/26/2004.
2. ☒ The allowed claim(s) is/are 1 - 24.
3. ☒ The drawings filed on 07 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


SHAHID ALAM
PRIMARY EXAMINER

DETAILED ACTION

Allowable Subject Matter

1. Claims 1 - 24 are allowed over the prior art of record.
2. The following is an examiner's statement of reasons for allowance:

The prior arts of record (USP 6,439,345 – Rectenwald et al; USP 6,129,274 – Suzuki; USP 5,975,275 – Keith et al; USP 5,832,464 – Houvener et al; and JP 2001175752A Takeuchi et al), either singularly or in combination, fail to anticipate or render obvious the recited feature “setting a user preference in a customer profile, wherein the user preference specifies one or more databases out of a plurality of databases to which an electronic receipt is to be sent from point of sale device; and sending the electronic receipt from the point of sale device to the one or more databases specified by the user preference”, as recited in the independent claims. These claimed limitations are distinguished from the prior arts of record as described below:

Rectenwald et al discloses a point-of-sale terminal that includes a means for storing items that are based on customer identification (see column 29, lines 53 – 58); Suzuki discloses entering a transaction data, and any other pertinent information into customer ID card or database after a transaction is complete at a point of sale terminal (see column 6, lines 53 – 67); Keith et al discloses that receipts are transfer from point of sale terminal at the end of a shift to secure location for subsequent pick up or deposit (see column 1, lines 37 – 40); Houvener et al discloses a database sending a unique ID for a user of a checking account to a point of sale for identification purposes. The information is scanned

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and send to a remote database (see column 12, lines 28 – 37); and Takeuchi et al discloses a customer choosing a virtual store as account settlement unit by receiving a point of sale management consignment from virtual stores (see Abstract). However, none of the above references discloses “setting user preference that specifies a database on which to send electronic receipt from point of sale device”.

The dependent claims, being definite, further limiting, and fully enabled by the specification are also allowed.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred I. Ehichioya whose telephone number is 571-272-4034. The examiner can normally be reached on M - F 8:00 AM to 4:30 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Fred I. Ehichioya
Patent Examiner
Art Unit 2162

December 20, 2004


SHAHID ALAM
PRIMARY EXAMINER